



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(MBHB 00-1323-H)

In re the Application of:
Hillman

Serial No: 10/013,036

Filed: October 30, 2001

For: Antimicrobial Polypeptide, Nucleic
Acid, and Methods of Use

Group Art Unit: 1647

Examiner: S. Gucker

Conf. No.: 8384

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in response to the Office Action mailed on November 2, 2004 in the above-mentioned application. It is believed that no fee is due in connection with this amendment; however, if a fee is due, the Commissioner is authorized to charge our deposit account number 13-2490.

Amendments to the claims begin on page 2 of this paper.

Remarks/arguments begin on page 6 of this paper.

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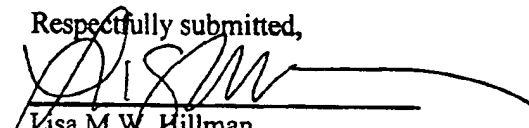
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FEE VALUE ACCOUNTABILITY	
DEPOSIT ACCOUNT NO.	
13	2490
FEE CODE	VALUE FURNISHED
2202	25.00

The affidavit of Jeffery D. Hillman (see above) demonstrates that the Smith reference is not by another. Applicants therefore respectfully request withdrawal of the rejection in view of the affidavit.

Dated: 2-2-05

Respectfully submitted,



Lisa M. W. Hillman
Registration No. 43,673